

## REMARKS

Applicant respectfully requests reconsideration of the present U.S. application. Claims 1-10 remain in the application. A petition for extension of time to extend the period for response one month, including the appropriate fee, is filed herewith.

### A. 35 U.S.C. § 103(a)

#### Avery - Claim 1-10

Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being obvious over the U.S. Patent No. 6,181,008 issued January 30, 2001 to Leslie Avery, et al. (hereinafter "the Avery patent") (Office Action, page 2). For at least the reasons set forth below, Applicant submits that the claims 1-10 are not rendered obvious by the Avery patent.

M.P.E.P. 706.02(j) sets forth the standard for a Section 103(a) rejection:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

With regard to claims 1-10, the Office relies on the Avery patent for a teaching of a "power system comprising a power converter, a land grid array socket mounted on array of contacts at 18 or 20, the power converter adapted to convert the voltage corresponding to an array of contacts on the land grid array socket." (Office Action, page 2). The Office contends that

“it would have been obvious to place the grid array socket on an array of contacts mounted on the surface of the power converter, since the rearranging of parts of an invention involves only routine skill in the art” under *In re Japikse* (Office Action, page 2). The Avery patent teaches a power supply circuit chip (DC-DC converter, col. 3, line 38) 34 which is mounted in each of the recesses 24 in the body 14 of the substrate (LGA socket) 12 (col. 3, lines 31-32). The array of contacts associated with the socket at 18 or 20 are located on the substrate, as shown in FIG.1, but the Avery patent does not teach an array of contacts on a surface of the power converter chip 34, required by independent claims 1 and 6.

Independent claim 1 and claim 6 of the present invention disclose a “land grid array socket mounted to an array of contacts on a surface of the power converter.” Thus, the Avery patent does not teach or suggest all of the limitations of claim 1 and 6, since the Avery patent does not teach or suggest an array of contacts on a surface of the power converter chip. Under *in re Japke*, rearrangement of parts of an invention involves only routine skill in the art. However, this assumes all parts of the invention are present. Since the Avery patent does not teach or suggest the array of contacts on the surface of the power converter, it is not possible to rearrange parts that do not exist. “To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.” In *re Royka*, 490 F.2d 981,180 USPQ 580 (CCPA 1974). Therefore, claims 1 and 6 are not rendered obvious under the Avery patent.

If an independent claim is nonobvious, then any claim depending from the independent claim is also nonobvious. *In re Fine*, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1998). Because dependent

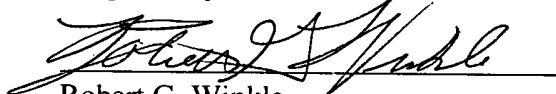
claims 2-5 and 7-10 depend from claim 1 and 6 respectively, Applicant submits that claims 2-5 and 7-10 are not rendered obvious by the Avery patent.

Therefore, reconsideration and withdrawal of the Section 103(a) rejection of claims 1-10 are respectfully requested.

In view of the foregoing remarks, the Applicants request allowance of the application. Please forward further communications to the address of record. If the Examiner needs to contact the below-signed attorney to further the prosecution of the application, the contact number is (503) 712-1682.

Dated: November 4, 2002

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Robert G. Winkle", written over a horizontal line.

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